



*American Embassy
Chanakyapuri, New Delhi-110021
Phone No. 91-11-24198473
Fax No. 91-11-24198278*

Solicitation No. S-IN650-14-Q-0088

Date: July 18, 2014

Name & address of Offeror

Issued by: ADM/GSO/Contracting

You are invited to submit your lowest prices for the listed items, **no later than 1400 hours on August 4, 2014**. The offeror shall submit their bid via email at newdelhibids@state.gov. The Offeror must write their name, address and contact phone number on each page. GSO/Procurement & Contracting shall provide additional information and/or clarifications concerning this solicitation.

<u>Services - Description</u>

Supply of **“Supply four Air Handling Units for the American Center Building at Kasturba Gandhi Marg, Connaught Place, New Delhi - 110001”** as per the Scope Of Work / Technical Specifications listed in the Annexure-A. **The offers will be evaluated as per the instructions and FAR & DOSAR clauses listed in Annexure-B and Annexure-C respectively.**

**Supply of four Air Handling Units
as per the Scope Of Work /
Technical Specifications
listed in Annexure-A**

: Rs. _____

Excise Duty : Rs. _____

VAT : Rs. _____

Cartage : Rs. _____

Total Amount : Rs. _____

1. In order to enable the Government to claim VAT refunds, the offerors shall indicate VAT separately. If VAT is indicated separately, the contractor shall furnish tax invoices in accordance with Delhi VAT regulations. If CST is applicable then please indicate the same separately.
2. Period of Delivery: Delivery within 60 days of receipt of the confirm order and exemption documents.

3. This purchase shall be bound by the FAR & DOSAR clauses enclosed as Annexure-C. Full text of a clause may be accessed electronically at this address: <http://www.acqnet.gov/far>
DOSAR clauses may be accessed at: <http://www.statebuy.state.gov/dosar/dosartoc.htm>

- **Important:** The Embassy reserves the right to reject any or all offers and to delete any portion/or items of the solicitation. Your offer should be valid for at least 60 days from the submission date. Once the Purchase Order is awarded the prices shall hold good till the order is 100% fulfilled. Award will be made to the "**lowest price technically acceptable offer**". The U. S. Govt. reserves the right to reject any offer which is very low or high.
- Embassy may place multiple orders based on technically acceptable lowest offers.
- The offer should be submitted ONLY at the e-mail ID newdelhibids@state.gov with the subject line as "**Solicitation No. S-IN650-14-Q-0088**".
- The quotation should be submitted no later than 1400 hours on August 4, 2014 at newdelhibids@state.gov

Name of the Offeror _____

Signature _____ Dated _____

Telephone # _____

Fax # _____

Sincerely,



Edith A. Davis
Contracting Officer

Annexure 'A'
Scope of Work / Technical Specifications

Name of Work: Supply of four air handling units. The air handling shall be supplied at American Center, 24, Kasturba Gandhi Marg, Connaught Place, New Delhi.

Brief Description:

The scope of work is as follows:

- (a) Supply of four indoor types, double skin pre plasticized floor mounted type air handling units fabricated out of extruded aluminum section. The AHU consisting of supply air inlet, return air inlet, exhaust and fire dampers, cooling/heating coil made of aluminum finned copper tube with 4 row deep coil sections, fan sections imported centrifugal forward curved fan, drive assembly set, motor 'v' belts, pre cassette type filters 50mm thick, 304/316 S.S drain pan and 35 mm drain pipe, duly insulated with 13mm closed cell linked insulation.
 - I. 23000 CFM AHU#12
 - II. 22000 CFM AHU#8
 - III. 22000 CFM AHU#9
 - IV. 12000 CFM AHU#02
- (b) Test of the air-handling units with specified parameters after the other installation contractor completes the installation and does the commissioning work.
- (c) The contractor should provide three sets of drawings with complete data's and details. The contractor shall proceed to manufacture the product after receiving the approved drawing.
- (d) The installation & commissioning work will be carried out by other contractor through a separate contract.
- (e) Provide one set of as built drawing and Operation, repair and Maintenance manual at the time delivery of AHU

Contractors are advised to go through the attached scope of work & specifications.

Please quote your lump sum price for the entire work including all overheads and local taxes etc.

Note:

This will be a lump sum contract and nothing extra will be entertained on any account.

First phase comprises of supply of air handling units. The second phase comprises testing and commissioning of the equipment. The work to be carried out by professional workers and certified fitter and sheet metal worker in good workmanship and neat manner as per the 1996 SMACNA "HVAC Duct Construction Standards.

The supplier/ manufacturer will arrange for a dedicated full time engineer/supervisor at the time of commissioning of the equipment.

Enclosure:

- 1. Scope of work**
- 2. Specifications**

Specification of AHU

PART 1 - PRODUCTS

1.1 MANUFACTURERS

- A. Available Manufacturers: **Subject to compliance with requirements, manufacturers offering products that may be incorporated into the Work include, but are not limited to, the following:**
- B. Manufacturers: **Subject to compliance with requirements, provide products by one of the following or equivalent to meet the specification:**

Basis of Design:

1. Carrier
2. Trane Company (The); Commercial Systems Group.
3. Zeco Aircon Industries.

1.2 MANUFACTURED UNITS

- A. General Description: **Factory assembled, consisting of fans, motor and drive assembly, coils, damper, plenums, filters, drip pans, and mixing dampers.**
- B. **Motor and Electrical Components:**
- C. **Except as other wise indicated, provide manufacturer's standard products of categories and types required for each application.**
- D. **Provide Engraved plastic Laminate Labels, Signs and Instruction plate minimum size 130sq.cm. The engrave legend in white letters on black face and punch for mechanical fasteners.**

1.3 **CABINET**

- A. Materials: Formed and reinforced galvanized steel panels, fabricated to allow removal for access to internal parts and components, with joints between sections sealed. Units located outdoors shall be treated with a corrosion protective coating and exterior finish.
 - 1. Outside Casing: Steel, 1mm.
 - 2. Outside Casing: Galvanized steel, 1mm.
 - 3. Inside Casing: Galvanized steel, 0.7 mm.
 - 4. Floor Plate: Stainless steel, 2-3 mm.
- B. Insulation: Coated, glass-fiber insulation, complying with NFPA 90A, "Installation of Air Conditioning and Ventilating Systems," for insulation A. Hot Surfaces: Normal operating temperatures of 100 deg F (38 deg C) or higher.
- B. Dual-Temperature Surfaces: Normal operating temperatures that vary from hot to cold.
- C. Cold Surfaces: Normal operating temperatures less than 75 deg F (24 deg C).
- D. Thermal resistivity is designated by an r-value that represents the reciprocal of thermal conductivity (k-value). Thermal conductivity is the rate of heat flow through a homogenous material exactly 1 inch (25.4 mm) thick. Thermal resistivity (r-value) is expressed by the temperature difference in degrees Fahrenheit (Kelvins) between the two exposed faces required to cause 1 BTU per hour (1 Watt) to flow through 1 square foot (1 square meter) at mean temperatures indicated.
- E. Thermal Conductivity (k-value): Measure of heat flow through a material at a given temperature difference; conductivity is expressed in units of Btu x inch/h x sq. ft. x deg F (W x m/sq. m x K).
- F. Density: Is expressed in pcf (kg/cu. m).
- G. Material certificates, signed by the manufacturer, certifying that materials comply with specified requirements where laboratory test reports cannot be obtained.

1.4 **QUALITY ASSURANCE**

- A. Fire Performance Characteristics: Conform to the following characteristics for insulation including facings, cements, and adhesives, when tested according to ASTM E 84, by UL or other testing or inspecting organization acceptable to the authority having jurisdiction. Label insulation with appropriate markings of testing laboratory.
 - 1. Interior Insulation: Flame spread rating of 25 or less and a smoke developed rating of 50 or less.
 - 2. Exterior Insulation: Flame spread rating of 75 or less and a smoke developed rating of 150 or less.

- B. Access Panels and Doors: Same materials and finishes as cabinet and complete with hinges, latches, handles, and gaskets.
 - 1. Fan section shall have inspection and access panels and doors sized and located to allow periodic maintenance and inspections.
- C. Drain Pans: Formed sections of galvanized steel sheet. Fabricate pans in sizes and shapes to collect condensate from cooling coils (including coil piping connections and return bends) and humidifiers when units are operating at maximum-catalogued face velocity across cooling coil.
 - 1. Double-Wall Construction: Fill space between walls with foam insulation and seal moisture tight.
 - 2. Drain Connections: Both ends of pan.
 - 3. Pan-Top Surface Coating: Elastomeric compound.
 - 4. Units with stacked coils shall have an intermediate drain pan or drain trough to collect condensate from top coil.

1.5 FAN SECTION

- A. Fan-Section Construction: Belt-driven centrifugal fans, consisting of housing, wheel, fan shaft, bearings, motor and disconnect switch, drive assembly, and support structure, equipped with formed-steel channel base for integral mounting of fan, motor, and casing panels. Mount fan scroll, wheel, shaft, bearings, and motor on structural-steel frame, with frame mounted on base with vibration isolation. At the option of the contractor the motors may be mounted outside the unit.
- B. Housings: Fabricate from formed- and reinforced-steel panels to form curved scroll housings with shaped cutoff, spun-metal inlet bell, and access doors or panels to allow entry to internal parts and components.
- C. Fan Assemblies: Statically and dynamically balanced and designed for continuous operation at maximum rated fan speed and motor power. Fan wheel shall be double-width, double-inlet type with backward-curved blades.
 - 1. Backward Curved: Black steel with enamel or galvanized finish, and having an inlet flange, back plate, shallow blades with inlet and tip curved backward in direction of airflow, and steel hub.
 - 2. Shafts: Hot-rolled steel; turned, ground, and polished, and having keyway to secure to fan wheel hub.
 - 3. Shaft Bearings: Pre-lubricated and sealed, self-aligning, pillow-block-type ball or roller bearings with the following:
 - a. Rate Bearing Life: ABMA 9 or ABMA 11, L-50 of 400,000 hours.
 - 4. Belt Drives: Factory mounted, with final alignment and belt adjustment made after installation.
 - a. Service Factor Based on Fan Motor: 1.5.
 - 5. Cogged Pulleys: Cast iron or steel with split, tapered bushing, dynamically balanced at factory.

6. Motor Cogged Pulleys: Adjustable pitch, selected so pitch adjustment is at middle of adjustment range at fan design conditions.
7. Cogged Belts: Oil resistant, nonsparking, and nonstatic; matched for multiple belt drives.
8. Belt Guards: Fabricate to OSHA/SMACNA requirements, 0.1046 inch (2.7 mm) thick, 3/4-inch (20-mm) diamond-mesh wire screen welded to steel angle frame or equivalent, prime coated.
9. Motor Mount: Adjustable for belt tensioning.
10. Vibration Control: Install fans on restrained open-spring vibration isolators, minimum 1-inch (25-mm) static deflection, with side snubbers.

D. Fan-Section Source Quality Control: The following factory tests are required.

1. Sound Power Level Ratings: Comply with AMCA 301, "Methods for Calculating Fan Sound Ratings from Laboratory Test Data." Test fans according to AMCA 300, "Reverberant Room Method for Sound Testing of Fans." Fans shall bear AMCA-certified sound ratings seal.
2. Factory test fan performance for flow rate, pressure, power, air density, rotation speed, and efficiency. Establish ratings according to AMCA 210, "Laboratory Methods of Testing Fans for Rating."

1.6 BASIC MOTOR REQUIREMENTS

- A. Basic requirements apply to mechanical equipment motors, unless otherwise indicated.
- B. Frequency Rating: 50 Hz.
- C. Voltage Rating: 415 VOLT 3 PHASE to which motor is connected.
- D. Temperature Rating: 50 deg C maximum temperature rise at 40 deg C ambient for continuous duty at full load (Class F Insulation).
- E. Service Factor: 1.15 for polyphase motors
- F. Motor Construction: NEMA MG-1, general purpose, and continuous duty, Design B.

Bases: Adjustable.

- G Capacity and Torque Characteristics: Rated for continuous duty and sufficient to start, accelerate, and operate connected loads at designated speeds, in indicated environment, with indicated operating sequence, and without exceeding nameplate ratings or considering service factor.
- H. Enclosure: Open dripproof, unless otherwise indicated.

1.7 POLYPHASE MOTORS

- A. Description: NEMA MG 1, medium induction motor.
 1. Design Characteristics: NEMA MG 1, Design B, unless otherwise indicated.
 2. Energy-Efficient Design: Premium efficiency E-type.

3. Stator: Copper windings, unless otherwise indicated. Multispeed motors have separate winding for each speed.
 4. Rotor: Squirrel cage, unless otherwise indicated.
 5. Bearings: Double-shielded, prelubricated ball bearings suitable for radial and thrust loading.
 6. Temperature Rise: Match insulation rating, unless otherwise indicated.
 7. Insulation: Class F, unless otherwise indicated.
- B. Motors Used with Reduced-Inrush Controllers: Match wiring connection requirements for indicated controller, with required motor leads brought to motor terminal box to suit control method.
- C. Rugged-Duty Motors: Where indicated, motors are totally enclosed with 1.25 minimum service factor, greased bearings, integral condensate drains, and capped relief vents. Windings are insulated with non-hygroscopic material. External finish is chemical-resistant paint over corrosion-resistant primer.
- D. Source Quality Control: Perform the following routine tests according to NEMA MG 1:
1. Measurement of winding resistance.
 2. No-load readings of current and speed at rated voltage and frequency.
 3. Locked rotor current at rated frequency.
 4. High-potential test.
 5. Alignment.
- E. Bearings: The following features are required:
5. Ball or roller bearings with inner and outer shaft seals.
 6. Grease lubricated.
 7. Designed to resist thrust loading where belt drives or other drives produce lateral or axial thrust in motor.
- F. Enclosure Type: The following features are required:
1. Open dripproof motors where satisfactorily housed or remotely located during operation.
 2. Guarded dripproof motors where exposed to contact by employees or building occupants.
- G. Overload Protection: Built-in, automatic reset, thermal overload protection.
- H. Noise Rating: Quiet.
- I. Efficiency: Energy-efficient motors shall have a minimum efficiency as scheduled according to IEEE 112, Test Method B. If efficiency is not specified, motors shall have a higher efficiency than "average standard industry motors" according to IEEE 112, Test Method B.
- J. Nameplate: Indicate full identification of manufacturer, ratings, characteristics, construction, and special features.
- K. Starters, Electrical Devices, and Wiring: Electrical devices and connections are specified in Division 16 Sections.

1.8 COILS

- A. Coil Sections: Common or individual, insulated, galvanized steel casings for heating and cooling coils. Design and construct to facilitate removal and replacement of coil for maintenance and to assure full airflow through coils.
- B. Coil Construction: Rigidly supported across full face, pitched to allow drainage.
 - 1. Fins: Aluminum, mechanically bonded to tubes.
 - 2. Tubes: Seamless copper.
 - 3. Coil Casing: Galvanized steel.
 - 4. Headers for Water Coils: Steel, or copper with connections for drain valve and air vent, and threaded piping connections.
- C. Water Coils: Drainable with threaded plugs, serpentine with return bends in smaller sizes and with return headers in larger sizes.
- D. Coil-Performance Tests: Factory-test cooling and heating coils, except sprayed surface coils for rating according to ARI 410, "Forced-Circulation Air-Cooling and Air-Heating Coils."

1.8 DAMPERS

- A. General: Leakage rate, according to AMCA 500, "Test Methods for Louvers, Dampers and Shutters," shall not exceed 2 percent of air quantity at 2000-fpm (10-m/s) face velocity through damper and 4-inch wg (1000-Pa) pressure differential.
 - 1. Damper operators shall be electrically operated. Actuator (make Anergy or Honey well) shall be compatible with BMS SYSTEM (Make: Automatic logic control)
- B. Combination Filter/Mixing Box: Parallel-blade galvanized steel damper blades mechanically fastened to steel operating rod in reinforced, galvanized steel cabinet. Connect operating rods with common linkage and interconnect linkages so dampers operate simultaneously. Cabinet support members shall hold 2-inch- (50-mm-) thick, pleated, flat permanent or throwaway filters. Provide hinged access panels or doors to allow removal of filters from both sides of unit.

1.9 FILTER SECTION

- A. Description: Type >B= - Factory-fabricated, dry, extended-surface filters with holding frames and having performance characteristics as indicated. Provide pre-filters prior to all extended surface filters.
- B. Media: Fibrous material formed into deep V-shaped pleats and held by self-supporting wire frames.
- C. Frame: Nonflammable cardboard, with suitable fasteners and gaskets to hold media and media frame and to prevent unfiltered air from passing between media frames and holding devices.
- D. Filter Section: Provide filter media holding frames arranged for flat or angular orientation, with access doors on both sides of unit.

- E Ratings: Provide filters with rated face velocity of 2.5 m/s, initial resistance of 75 Pa with 50 to 60 percent ASHRAE 52 efficiency, and 150 Pa with 90 to 95 percent efficiency, and final rated resistance of 300 Pa.

1.1 EXAMINATION

- A. Examine areas and conditions to receive equipment, for compliance with installation tolerances and other conditions affecting performance of central-station air-handling units.
- B. Examine roughing-in of steam, hydronic, condensate drainage piping, and electrical to verify actual locations of connections before installation.
- C. Do not proceed with installation until unsatisfactory conditions have been corrected.
- D. Electrical: Conform to applicable requirements.
 - 1. Connect fan motors to wiring systems and to ground. Tighten electrical connectors and terminals according to manufacturer's published torque-tightening values. Where manufacturer's torque values are not indicated, use those specified in UL 486A and UL 486B.
 - 2. Temperature control wiring and interlock wiring is done others.

1.2 Inspection

- A. Manufacturer's Field Inspection: **Engage a manufacturer's authorized service representative to perform the following:**
 - 1. Inspect field assembly of components and installation of central-station air-handling units including piping, ductwork, and electrical connections.
 - 2. Prepare a written report on findings and recommended corrective actions.
- B. Final Checks before Startup: Perform the following before startup:
 - 1. Verify that shipping, blocking, and bracing are removed.
 - 2. Verify that unit is secure on mountings and supporting devices and that connections for piping, ductwork, and electrical are complete. Verify that proper thermal overload protection is installed in motors, starters, and disconnects.
 - 3. Perform cleaning and adjusting specified in this Section.
 - 4. Disconnect fan drive from motor, verify proper motor rotation direction, and verify free fan wheel rotation and smooth bearings operations. Reconnect fan drive system, align belts, and install belt guards.
 - 5. Lubricate bearings, pulleys, belts, and other moving parts with factory-recommended lubricants.
 - 6. Set outside-air and return-air mixing dampers to minimum outside-air setting.
 - 7. Comb coil fins for parallel orientation.
 - 8. Install clean filters.

9. Verify that manual and automatic volume control, and fire and smoke dampers in connected ductwork systems are in fully open position.
- C. Starting procedures for central-station air-handling units include the following:
1. Energize motor; verify proper operation of motor, drive system, and fan wheel. Adjust fan to indicated rpm.
 - a. Replace fan and motor pulleys as required to achieve design conditions.
 2. Measure and record motor electrical values for voltage and amperage.
 3. Manually operate dampers from fully closed to fully open position and record fan performance.

1.3 **DEMONSTRATION**

- A. Engage the services of a manufacturer's authorized service representative to train Owner's maintenance personnel on procedures and schedules related to startup and shutdown, troubleshooting, servicing, and preventive maintenance.

Annexure-B

➔ **IMPORTANT INSTRUCTIONS: PLEASE READ CAREFULLY WHILE SUBMITTING THE OFFER**

(A) Kindly submit following documents along with your offer:

- An undertaking stating that the specifications of the products offered by your organization are in complete compliance with the required minimum specifications set forth in the scope of work in Annexure-A.
- Technical catalogue/data sheet of the offered product along with your offer providing manufacturer name, model, and extended specifications of the exact equipment being proposed.
- Offer without the catalogue/data sheet shall not be considered for further evaluation
- List of clients along with their contact details where you have supplied similar type of equipment.

(B) Other Requirement:

- The extended features/specifications, outside the minimum required specifications, should be marked separately on the offer only as “Extended Features/Specifications”.
- Offer Validity: The offer should be valid for minimum 120 days.
- Delivery time: as per manufacturer’s schedule.
- DUNS number of your company and Proof of being registered on SAM (System for Award Management). If not already registered offeror must initiate the process of obtaining DUNS number and registration with SAM. In order to do business with U S Government it’s mandatory to register with SAM. Please follow the [link](#) providing guidance on SAM registration process.

(C) Evaluation Factors:

- Award will be made to the “**Lowest Price Technically Acceptable**” offer. The U. S. Govt. reserves the right to reject any offer which is very low or high.
- Record of Satisfactory Past performance.

(D) Terms and Conditions:

- If your proposal/offer is accepted, American Embassy will issue a **U S Government firm and fixed price purchase order**.

- Payment Terms: **30 days credit**. The payment will be made through electronic funds transfer (EFT) direct into your bank account within net 30 days after delivery of proper invoice and material at American Center, Kasturba Gandhi Marg, Connaught Place.
- In case of late receipt of offer, it shall be sole discretion of the Contracting Officer (CO), to accept or reject the offer.

The offer should be submitted no later than 1400 hrs on 4th August 2014 at – Newdelhibids@state.gov.

For any technical queries please write through e-mail to Ashok Chellaramani at Chellaramania@state.gov. The answers to the queries will be shared with all prospective bidders. Any query received after July 29, 2014 will not be entertained.

Annexure-C

**CLAUSES FOR PURCHASE ORDERS AND BLANKET PURCHASE AGREEMENTS
AWARDED BY OVERSEAS CONTRACTING ACTIVITIES
(Current thru FAC 2005-69)**

COMMERCIAL ITEMS

FAR 52.252-2 Clauses Incorporated By Reference (FEB 1998)

This purchase order or BPA incorporates the following clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this address: <https://www.acquisition.gov/far>

DOSAR clauses may be accessed at: <http://www.statebuy.state.gov/dosar/dosartoc.htm>

FEDERAL ACQUISITION REGULATION (48 CFR Chapter 1) CLAUSES

NUMBER	TITLE	DATE
52.204-9	Personal Identity Verification of Contractor Personnel (if contractor requires physical access to a federally-controlled facility or access to a Federal information system)	JAN 2011
52.212-4	Contract Terms and Conditions – Commercial Items (Alternate I (OCT 2008) of 52.212-4 applies if the order is time-and-materials or labor-hour)	SEPT 2013
52.225-19	Contractor Personnel in a Diplomatic or Consular Mission Outside the United States (applies to services at danger pay posts only)	MAR 2008
52.225-25	Prohibition on Contracting with Entities Engaging in Sanctioned Activities Relating to Iran – Representation and Certification (applies to acquisitions above the micropurchase threshold)	DEC 2012
52.227-19	Commercial Computer Software License (if order is for software)	DEC 2007
52.228-3	Workers' Compensation Insurance (Defense Base Act) (if order is for services and contractor employees are covered by Defense Base Act insurance)	APR 1984
52.228-4	Workers' Compensation and War-Hazard Insurance (if order is for services and contractor employees are <u>not</u> covered by Defense Base Act insurance)	APR 1984

The following clause is provided in full text:

52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS—COMMERCIAL ITEMS (SEPT 2013)

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

(1) 52.222-50, Combating Trafficking in Persons (Feb 2009) (22 U.S.C. 7104(g)).

___ Alternate I (Aug 2007) of 52.222-50 (22 U.S.C. 7104(g)).

(2) 52.233-3, Protest After Award (AUG 1996) (31 U.S.C. 3553).

(3) 52.233-4, Applicable Law for Breach of Contract Claim (OCT 2004) (Pub. L. 108-77, 108-78).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

___ (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (Sept 2006), with *Alternate I* (Oct 1995) (41 U.S.C. 253g and 10 U.S.C. 2402).

_ **X** _ (2) 52.203-13, Contractor Code of Business Ethics and Conduct (Apr 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).

___ (3) Reserved

___ (4) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Jul 2013) (Pub. L. 109-282) (31 U.S.C. 6101 note).

___ (5) Reserved.

___ (6) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Aug 2013) (31 U.S.C. 6101 note).

___ (7) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Jul 2013) (41 U.S.C. 2313).

___ (8) – (26) [*Reserved*]

_ **X** _ (27) 52.222-19, Child Labor—Cooperation with Authorities and Remedies (Mar 2012) (E.O. 13126).

___ (28) 52.222-21, Prohibition of Segregated Facilities (Feb 1999).

___ (29) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).

___ (30) 52.222-35, Equal Opportunity for Veterans (Sep 2010)(38 U.S.C. 4212).

___ (31) 52.222-36, Affirmative Action for Workers with Disabilities (Oct 2010) (29 U.S.C. 793).

___ (32) 52.222-37, Employment Reports on Veterans (SEP 2010) (38 U.S.C. 4212).

___ (33) – (37) [*Reserved*]

X (38) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (AUG 2011) (E.O. 13513).

 (39) 52.225-1, Buy American Act—Supplies (Feb 2009) (41 U.S.C. 10a-10d).

 (40)(i) 52.225-3, Buy American Act—Free Trade Agreements—Israeli Trade Act (Nov 2012) (41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).

 (ii) Alternate I (Mar 2012) of 52.225-3.

 (iii) Alternate II (Mar 2012) of 52.225-3.

 (iv) Alternate III (Nov 2012) of 52.225-3.

 (41) 52.225-5, Trade Agreements (SEPT 2013) (19 U.S.C. 2501, *et seq.*, 19 U.S.C. 3301 note).

 X (42) 52.225-13, Restrictions on Certain Foreign Purchases (June 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).

 (43) – (47) [*Reserved*]

 X (48) 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (Jul 2013) (31 U.S.C. 3332).

 (49) 52.232-34, Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).

 (50) 52.232-36, Payment by Third Party (Jul 2013) (31 U.S.C. 3332).

 (51) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).

 (52)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631).

 (ii) Alternate I (Apr 2003) of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

 (1) 52.222-41, Service Contract Act of 1965 (Nov 2007) (41 U.S.C. 351, *et seq.*).

 (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 1989) (29 U.S.C. 206 and 41 U.S.C. 351, *et seq.*).

 (3) 52.222-43, Fair Labor Standards Act and Service Contract Act—Price Adjustment (Multiple Year and Option Contracts) (Sep 2009) (29 U.S.C. 206 and 41 U.S.C. 351, *et seq.*).

 (4) 52.222-44, Fair Labor Standards Act and Service Contract Act—Price Adjustment (Sep 2009) (29 U.S.C. 206 and 41 U.S.C. 351, *et seq.*).

___ (5) 52.222-51, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (Nov 2007) (41 351, *et seq.*).

___ (6) 52.222-53, Exemption from Application of the Service Contract Act to Contracts for Certain Services—Requirements (Feb 2009) (41 U.S.C. 351, *et seq.*).

___ (7) 52.222-17, Nondisplacement of Qualified Workers (JAN 2013) (E.O.13495).

___ (8) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Mar 2009) (Pub. L. 110-247).

___ (9) 52.237-11, Accepting and Dispensing of \$1 Coin (Sept 2008) (31 U.S.C. 5112(p)(1)).

(d) *Comptroller General Examination of Record*. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records—Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e)(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause—

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (Apr 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).

(ii) 52.219-8, Utilization of Small Business Concerns (Jul 2013) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$650,000 (\$1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(iii) 52.222-17, Nondisplacement of Qualified Workers (JAN 2013) (E.O. 13495). Flow down required in accordance with paragraph (l) of FAR clause 52.222-17.

(iv) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).

(v) 52.222-35, Equal Opportunity for Veterans (Sep 2010) (38 U.S.C. 4212).

(vi) 52.222-36, Affirmative Action for Workers with Disabilities (Oct 2010) (29 U.S.C. 793).

(vii) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.

(viii) 52.222-41, Service Contract Act of 1965 (Nov 2007) (41 U.S.C. 351, *et seq.*).

(ix) 52.222-50, Combating Trafficking in Persons (Feb 2009) (22 U.S.C. 7104(g)).

____ Alternate I (Aug 2007) of 52.222-50 (22 U.S.C. 7104(g)).

(x) 52.222-51, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (Nov 2007) (41 U.S.C. 351, *et seq.*).

(xi) 52.222-53, Exemption from Application of the Service Contract Act to Contracts for Certain Services-Requirements (Feb 2009) (41 U.S.C. 351, *et seq.*).

(xii) 52.222-54, Employment Eligibility Verification (JUL 2012).

(xiii) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).

(xiv) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Mar 2009) (Pub. L. 110-247). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.

(xv) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

(2) While not required, the contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

DEPARTMENT OF STATE ACQUISITION REGULATION (48 CFR Chapter 6) CLAUSES

NUMBER	TITLE	DATE
652.225-71	Section 8(a) of the Export Administration Act of 1979, As Amended (if order exceeds simplified acquisition threshold)	AUG 1999

652.229-70	Excise Tax Exemption Statement for Contractors Within the United States (for supplies to be delivered to an overseas post)	JUL 1988
652.229-71	Personal Property Disposition at Posts Abroad	AUG 1999
652.237-72	Observance of Legal Holidays and Administrative Leave (for services where performance will be on-site in a Department of State facility)	APR 2004
652.239-71	Security Requirements for Unclassified Information Technology Resources (for orders that include information technology resources or services in which the contractor will have physical or electronic access to Department information that directly supports the mission of the Department)	SEP 2007
652.242-70	Contracting Officer's Representative (if a COR will be named for the order) Fill-in for paragraph b: "The COR is _____"	AUG 1999
652.242-71	Notice of Shipments (for overseas shipment of supplies)	JUL 1988
652.242-73	Authorization and Performance	AUG 1999
652.243-70	Notices	AUG 1999

The following clause is provided in full text, and is applicable for orders for services that will require contractor employees to perform on-site at a DOS location and/or that require contractor employees to have access to DOS information systems:

652.204-70 Department of State Personal Identification Card Issuance Procedures (MAY 2011)

(a) The Contractor shall comply with the Department of State (DOS) Personal Identification Card Issuance Procedures for all employees performing under this contract who require frequent and continuing access to DOS facilities, or information systems. The Contractor shall insert this clause in all subcontracts when the subcontractor's employees will require frequent and continuing access to DOS facilities, or information systems.

(b) The DOS Personal Identification Card Issuance Procedures may be accessed at <http://www.state.gov/m/ds/rls/rpt/c21664.htm> .

(End of clause)